

**IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**HUNTINGTON DIVISION**

CHARLES MURPHY,

Plaintiff,

v.

CIVIL ACTION NO. 3:20-0409

WESTERN REGIONAL JAIL,  
CORPORAL AKERS;  
SGT. FERGESON;  
CORPORAL HENDRICKS;  
NURSE ASHLEY;  
JOHN DOE and JANE DOE,

Defendants.

**MEMORANDUM OPINION AND ORDER**

This action was referred to the Honorable Cheryl A. Eifert, United States Magistrate Judge, for submission to this Court of proposed findings of fact and recommendations for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the Court grant the Western Regional Jail's motion to dismiss (ECF No. 20), and dismiss Defendant Wester Regional Jail, removing said Defendant from the style of the case. The Magistrate Judge further recommended that the other defendants remain as parties in this case pending further resolution of the claims presented. Neither party has filed objections to the Magistrate Judge's findings and recommendations.

Accordingly, the Court accepts and incorporates herein the findings and recommendations of the Magistrate Judge and **GRANTS** the Western Regional Jail's motion to dismiss (ECF No.

20), and **DISMISSES** Defendant Wester Regional Jail, removing said Defendant from the style of the case, consistent with the findings and recommendations. The other defendants will remain as parties in this case pending further resolution of the claims presented

The Court **DIRECTS** the Clerk to forward copies of this written opinion and order to all counsel of record, and any unrepresented parties.

ENTER: November 12, 2020

A handwritten signature in black ink, appearing to read 'Robert C. Chambers', written over a horizontal line.

ROBERT C. CHAMBERS  
UNITED STATES DISTRICT JUDGE